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Draft provisional rules of procedure of the Conference

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I. Representation and credentials

Rule 1
Composition of delegations

The delegation of each State participating in the Conference and that of the European Union shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Rule 2
Alternates and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 3
Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Under-Secretary-General of the United Nations, High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, who is the Secretary-General of the Conference, if possible not less than two weeks before the date fixed for the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Secretary-General of the Conference. The credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs, or in the case of the European Union, by the President of the European Commission.

Rule 4
Credentials Committee

A Credentials Committee of nine members shall be appointed at the beginning of the Conference. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at its most recent session. It shall examine the credentials of representatives and report to the Conference without delay.

Rule 5
Provisional participation in the Conference

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. Officers

Rule 6
Elections

1. The Conference shall elect, with due regard to equitable geographical distribution:

(a) From among the representatives of participating States: a President and a Rapporteur, as well as a Chair for the Committee of the Whole provided for in rule 48:

(b) From among the delegations of participating States: 15 Vice-Presidents.

2. The President and the Rapporteur of the Conference shall not be eligible for election as Chair of the Committee of the Whole. Nor shall the Chair of the Committee of the Whole be eligible for election as a Vice-President of the Conference.

Rule 7
Term of office and replacement

1. Should the Conference hold more than one session, and unless the Conference decides otherwise, all officers shall serve for all sessions of the Conference.

2. If an officer resigns or ceases to be able to perform his functions or to be a representative of a participating State, the Conference shall as soon as possible elect a new officer. If the office thus vacated is that of the President, the other officers that constitute the General Committee shall select one of the Vice-Presidents to serve as Acting President until the new President has been elected.

Rule 8
Absence of the President

1. If the President is to be absent from a meeting or any part thereof, he/she shall designate a Vice-President to take his/her place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 9
Voting rights of the President

The President, or a Vice-President acting as President, shall not vote, but may appoint another member of his/her delegation to vote in his/her place.

III. General Committee

Rule 10
Composition

1. The officers elected pursuant to rule 6 shall constitute the General Committee (Bureau). The Chair or another designated representative of any subsidiary organ not represented on the Committee may participate in its proceedings, without the right to vote.

2. If any member of the General Committee is to be absent from one of its meetings, he/she may designate a member of his/her delegation to participate and vote in his/her place. The Chair of any subsidiary organ represented on the Committee may also designate a Vice-Chair to participate in the proceedings of the Committee, without the right to vote.

Rule 11
Officers

The President, or in his/her absence one of the Vice-Presidents designated by him/her, shall serve as Chair and, if necessary, the Rapporteur shall serve as Rapporteur of the General Committee.

Rule 12
Functions

In addition to performing other functions specified in these rules, the General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. Secretariat of the Conference

Rule 13
Direction of the secretariat

The Under-Secretary-General of the United Nations, High Representative for the Least Developed Countries and Small Island Developing States, as the Secretary-General of the Conference, shall be responsible for making all the necessary arrangements for carrying out the work of the Conference. For that purpose, he shall appoint the Executive Secretary of the Conference and the Secretary of the Conference, and shall designate such other staff as may be required by the Conference, its committees and other subsidiary organs.

Rule 14
Administrative duties of the secretariat of the Conference

The secretariat of the Conference shall, in accordance with these rules and any pertinent directives of the General Assembly:

(a) Interpret speeches made at meetings;

(b) Make and arrange for the keeping of sound recordings of meetings;

(c) Receive, translate and circulate the documents of the Conference;

(d) Report the proceedings of the Conference in appropriate journals;

(e) Publish and circulate any report of the Conference;

(f) Arrange for the custody of the documents and records of the Conference in the archives of the United Nations;

(g) Generally perform all other work that the Conference may require in connection with its proceedings.

Rule 15
Statements by the secretariat

The Secretary-General of the United Nations or the Secretary-General of the Conference, or any member of the secretariat designated by either of them for that purpose, may, subject to rule 21, make statements concerning any question under consideration.

V. Opening of the Conference

Rule 16
Temporary President

At the opening of the Conference, the Secretary-General of the United Nations, the Secretary-General of the Conference, or a member of the secretariat designated by either, shall preside until the Conference has elected its President.

Rule 17
Decisions concerning organization

On the basis of recommendations submitted by the Intergovernmental Preparatory Committee and those emerging from the pre-conference consultations, the Conference shall, to the extent possible, at its first meeting:

(a) Elect its officers and constitute its subsidiary organs;

(b) Adopt the rules of procedure of the Conference;

(c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Conference;

(d) Decide on the organization of its work.

VI. Conduct of business

Rule 18
Quorum

The President may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the Conference are present. The presence of representatives of a majority of such States shall be required for any decision to be taken.

Rule 19
General powers of the President

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each such meeting, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall, subject to these rules, have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the

time allowed to speakers and on the number of times the representatives of each participant in the Conference may speak on a question, the adjournment, closure and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his/her functions, remains under the authority of the Conference.

Rule 20
Points of order

Subject to rule 41, a representative of any State participating in the Conference may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative of any State participating in the Conference may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the question under discussion.

Rule 21
Speeches

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 20, 23 and 25 to 28, the President shall call upon speakers in the order in which they signify their desire to speak.

2. All interventions shall be confined to the question before the Conference and the President may call a speaker to order if his/her remarks are not relevant to the question under discussion.

3. The Conference may limit the time allowed to speakers and the number of times the representatives of each participant may speak on a question. Permission to speak on a motion to set such limits shall be accorded to only two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the limitations specified in rules 22 and 25 shall be observed, and the President shall limit each intervention on a procedural question to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him/her to order without delay.

Rule 22
General statements

1. In order to assess the number of meetings to be allocated for the general debate, a list of speakers shall be opened well in advance of the date of the opening of the Conference and closed at the end of the third day of the Conference.

2. Unless the Conference decides otherwise, general statements by representatives of States participating in the Conference shall be limited to 10 minutes and those of other participants to 8 minutes.

Rule 23
Precedence

The Chair, the Vice-Chair or the Rapporteur of the Committee of the Whole or a representative designated by any other subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by the organ.

Rule 24
Closing the list of speakers

For the purposes of general statements, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When there are no more speakers, the President shall, with the consent of the Conference, declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 27.

Rule 25
Right of reply

1. Notwithstanding rule 24, the President shall accord the right of reply to the delegation of any State participating in the Conference that requests it and to the European Union, should it so request. Other delegations may be granted the opportunity to make a reply.

2. Replies made pursuant to the present rule:

(a) Shall be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner;

(b) Shall be limited to two per item for any delegation at a given meeting, the first of which is not to exceed five minutes and the second three minutes.

Rule 26
Adjournment of debate

A representative of any State participating in the Conference may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, permission to speak on the motion shall be accorded to only two representatives in favour of and two opposing the adjournment, after which the motion shall, subject to rule 29, be immediately put to the vote.

Rule 27
Closure of debate

A representative of any State participating in the Conference may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 29, be immediately put to the vote.

Rule 28
Suspension or adjournment of the meeting

Subject to rule 41, a representative of any State participating in the Conference may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 29, be immediately put to the vote.

Rule 29
Priority of motions

The motions indicated below shall have priority in the following order over all proposals or other motions before the Conference:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Rule 30
Basic proposals

1. Any draft texts submitted to the Conference by the Preparatory Committee shall, if the Committee so recommends or the Conference so decides, constitute the basic proposals for consideration by the Conference.

2. Basic proposals shall have priority over all other proposals submitted to the Conference, unless it decides otherwise.

Rule 31
Other proposals and substantive amendments

Other proposals and substantive amendments shall normally be submitted in writing to the Conference secretariat, which shall circulate copies thereof to all delegations in the languages of the Conference. Unless the Conference decides otherwise, substantive proposals shall not be discussed or put to the vote until the day after copies thereof have been circulated to the delegations of all States participating in the Conference. The President may, however, permit the discussion and consideration of amendments, even though these amendments have not been circulated or have only been circulated the same day.

Rule 32
Withdrawal of proposals and motions

A proposal or a motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended by decision of the Conference. A proposal or a motion thus withdrawn may be reintroduced by any representative of any State participating in the Conference with its original priority, provided that the representative does so promptly and that the proposal or motion has not been substantially changed.

Rule 33
Decisions on competence

Any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal submitted to it shall be decided before the matter is discussed further or a decision is taken on the proposal in question.

Rule 34
Consideration of programme budget implications

Before the Conference takes a decision or makes a recommendation the implementation of which might have programme budget implications for the United Nations, it shall receive and consider a report from the secretariat on such implications.

Rule 35
Reconsideration of proposals

When a proposal has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VII. Decision-making

Rule 36
Consensus

1. The Conference shall make every effort to ensure that all its substantive decisions are taken by consensus.

2. Notwithstanding any measures that may be taken in compliance with paragraph 1, a proposal before the Conference shall be voted on if a representative of any State participating in the Conference so requests.

Rule 37
Voting rights

Each State participating in the Conference shall have one vote.

Rule 38
Majority required

1. Unless the Conference decides otherwise, and subject to paragraph 1 of rule 36, decisions on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

2. Unless the Conference decides otherwise, and except as otherwise provided in these rules, decisions on all matters of procedure shall be taken by a simple majority of the representatives present and voting.

3. If the question arises whether a matter is one of procedure or of substance, it shall be decided by the Conference by a majority of the representatives present and voting.

4. If a vote is equally divided on a decision requiring a simple majority, the proposal or motion shall be regarded as rejected.

5. For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be regarded as not voting.

Rule 39
Method of voting

1. Except as provided in rule 46, the Conference shall normally vote by show of hands, but any representative may request a roll-call, which shall then be taken in the English or French alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each such State shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".

2. When the Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Conference.

3. The vote of each State participating in a roll-call shall be inserted in any record of or report on the meeting.

Rule 40
Explanation of vote or position

1. Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representatives of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

2. When the same matter is considered successively in several organs of the Conference, the representatives of a State should, as far as possible, explain the votes of their delegation only in one such organ, unless those votes differ.

3. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.

Rule 41
Conduct during voting

After the President has announced the commencement of a vote, the voting shall not be interrupted until the result has been announced, except on a point of order in connection with the process of voting.

Rule 42
Division of proposals

A representative may move that parts of a proposal be voted on separately. If a representative of any State participating in the Conference objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 43
Amendments

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Rule 44
Order of voting on amendments

1. When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

2. When the Conference decides, in accordance with rule 42, to consider an extensive text in convenient portions (such as paragraphs or articles), each of these shall be treated as a separate proposal for the purpose of paragraph 1.

Rule 45
Order of voting on proposals

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case, the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

Rule 46
Elections

1. All elections shall be held by secret ballot unless, in the absence of any objection, the Conference decides to proceed without taking a ballot on an agreed candidate or slate of candidates.

2. When candidates are to be nominated, each nomination shall be made by only one representative, after which the Conference shall immediately proceed to the election.

Rule 47
Balloting

1. When one or more elective places are to be filled at one time under the same conditions, each delegation entitled to vote may cast a vote for as many candidates as there are places to be filled, and those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

2. If the number of candidates so elected is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, the voting being restricted to the candidates obtaining the largest number of votes in the previous ballot, in a number not exceeding twice the number of places.

VIII. Subsidiary organs

Rule 48
Committee of the Whole

The Conference shall establish a Committee of the Whole on which each State participating in the Conference may be represented.

Rule 49
Working groups

The Conference and the Committee of the Whole may establish working groups. In the establishment of working groups, account shall be taken of the availability of conference-servicing facilities.

Rule 50
Officers

1. The Committee of the Whole shall, unless it decides otherwise, elect a Vice-Chair [and a Rapporteur].

2. Each other subsidiary organ shall elect such officers as it considers necessary.

Rule 51
Procedures

The rules relating to officers (rules 6-9), the secretariat of the Conference (rules 13-15), the conduct of business of the Conference (rules 18-35), decision-making (rules 36-47) and other participants and observers (rules 60-65) shall be

applicable, mutatis mutandis, to the proceedings of subsidiary bodies, except as these may otherwise provide and except that:

(a) The Chairs of subsidiary organs other than the Committee of the Whole may exercise the right to vote;

(b) The Chair of the Committee of the Whole may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the Conference are present, and the Chair of any subsidiary organ of limited membership may do so when representatives of a majority of its members are present;

(c) Decisions of the Committee of the Whole and working groups shall be taken by a majority of the representatives present and voting, but the reconsideration of a proposal shall require the majority established by rule 35.

IX. Languages

Rule 52
Languages of the Conference

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

Rule 53
Interpretation

1. Speeches made in a language of the Conference shall be interpreted into the other such languages, unless such interpretation has not been requested by the representative of any State participating in the Conference.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the secretariat may be based on the interpretation given in the first such language.

Rule 54
Languages of official documents

Official documents shall be made available in the languages of the Conference.

X. Records and reports

Rule 55
Records of meetings

1. There shall be neither verbatim nor summary records of meetings.

2. Statements made at the Conference shall not be reproduced in extenso either as separate documents or as an integral part of or attached to any report of a subsidiary organ or of the Conference unless, in exceptional cases, they are of a technical nature and served or are to serve as bases for discussion and a decision to reproduce them has been taken by the Conference or the organ concerned.

Rule 56
Sound recordings

Sound recordings of plenary meetings of the Conference and of meetings of the Committee of the Whole and the General Committee shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the organ that established a working group, no such recordings shall be made of the meetings of the latter.

Rule 57
Report of the Conference

1. Unless the Conference decides otherwise, it shall issue a report on the interactive debates in the plenary and in the Committee of the Whole of the Conference, subject to the provisions of rule 55, paragraph 2.

2. Unless the Conference decides otherwise, the draft of a report shall be prepared and submitted to the Conference by the Rapporteur, who may be assisted by "friends" designated by each regional group, the members of which are participating in the Conference. Unless the Conference decides otherwise, the Rapporteur, in consultation with his/her "friends", may authorize corrections and editorial changes to the report adopted by the Conference.

XI. Public and private meetings

Rule 58
General principles

1. The plenary meetings of the Conference and the meetings of the Committee of the Whole and the venue of the general statements and the venue of parallel events shall be public unless the organ concerned decides otherwise.

2. Meetings of other organs of the Conference shall be private unless the Conference or the organ concerned decides otherwise.

Rule 59
Communiqués on private meetings

At the close of a private meeting, the Conference or the Committee of the Whole may issue a communiqué to the press through the secretariat of the Conference.

XII. Other participants and observers

Rule 60
Representatives of intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the capacity of observer in the sessions and work of all international conferences convened under its auspices

Representatives designated by intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under

its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference, its Committee of the Whole and, as appropriate, any working group.

Rule 61
Representatives of the specialized agencies and related organizations[1]

Representatives designated by the specialized agencies and related organizations may participate as observers, without the right to vote, in the deliberations of the Conference, its Committee of the Whole and, as appropriate, any working group on questions within the scope of their activities.

Rule 62
Representatives of other intergovernmental organizations

Representatives designated by other intergovernmental organizations invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, its Committee of the Whole and, as appropriate, any working group on questions within the scope of their activities.

Rule 63
Representatives of interested United Nations organs

Representatives designated by interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference, its Committee of the Whole and, as appropriate, any working group on questions within the scope of their activities.

Rule 64
Representatives of non-governmental organizations

1. Non-governmental organizations invited to the Conference may designate representatives to sit as observers at public meetings of the Conference and its Committee of the Whole.

2. Upon the invitation of the presiding officer of the Conference body concerned and subject to the approval of that body, such observers may make oral statements on questions in which they have special competence.

Rule 65
Written statements

Written statements submitted by the designated representatives referred to in rules 60 to 64 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution, provided that a statement submitted on behalf of a non-governmental organization is on a subject in which the organization has a special competence and is related to the work of the Conference.

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[1] Organizations that have a relationship agreement or an established relationship with the United Nations, such as the International Atomic Energy Agency, the World Tourism Organization, the World Trade Organization, and the Comprehensive Test Ban Treaty Organization.

XIII. Amendment and suspension of the rules of procedure

Rule 66
Method of amendment

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives present and voting, after the General Committee has reported on the proposed amendment.

Rule 67
Method of suspension

Any of these rules may be suspended by the Conference provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

Rule 68
Other procedural matters

Any procedural matter not covered by these rules shall be settled in accordance with the rules and practices of the General Assembly.